



THE ERIE COUNTY LEGISLATURE

Session No. 4
February 18, 2016

John J. Mills
Chair

Joseph C. Lorigo
Majority Leader

Thomas A. Loughran
Minority Leader

Karen M. McCarthy
Clerk of the Legislature

ROLL CALL

INVOCATION – Mr. Hardwick

PLEDGE OF ALLEGIANCE – Mr. Rath

TABLED ITEMS

ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

MINUTES OF PREVIOUS MEETING - [Session No. 3](#)

PUBLIC HEARING

MISCELLANEOUS RESOLUTIONS:

| | |
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| DIXON | Congratulating Chance J. Gunderman on Attaining the Rank of Eagle Scout |
| GRANT & MILLER-WILLIAMS | Honoring and Recognizing Bishop T. Anthony Bronner as the Keynote Speaker for the United Black Men's Think Tank of Buffalo, Inc. 5th Anniversary Dinner |
| GRANT & MILLER-WILLIAMS | Honoring and Recognizing the United Black Men's Think Tank of Buffalo, Inc. on the Occasion of its' 5th Anniversary Dinner |
| GRANT | Honoring Myra Robinson-Moses as the Erie County Legislature's Citizen of the Month for February 2016 |
| MILLS, LORIGO, LOUGHRAN, DIXON, HARDWICK, MORTON, RATH, BURKE, GRANT, MILLER-WILLIAMS & SAVAGE | Honoring Long-Time WIVB Meteorologist Don Paul on His Retirement from News 4 Buffalo |
| MILLS, LORIGO, LOUGHRAN, DIXON, HARDWICK, MORTON, RATH, BURKE, GRANT, MILLER-WILLIAMS & SAVAGE | Honoring Jo-Anne Wylie, Lisa Wylie, Charles Dan Dunkle and Dorothy Keough for Their Tireless Efforts on Behalf of Honor Flight Buffalo That Recognizes and Honors Our World War II Veterans |
| MILLS, LORIGO, LOUGHRAN, DIXON, HARDWICK, MORTON, RATH, BURKE, GRANT, MILLER-WILLIAMS & SAVAGE | Congratulating the Buffalo Beaus and the Women's National Hockey League on its Inaugural Year and Making Sports History |
| MILLS, LORIGO, LOUGHRAN, DIXON, HARDWICK, MORTON, RATH, BURKE, GRANT, MILLER-WILLIAMS & SAVAGE | Honoring the Life of Donna M. McCartney Henry |
| MORTON | Congratulating Carolanne Kerl on her Retirement from the Lancaster Police Department |

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| RATH | Honoring Matthew Pelkey for Being Named the Amherst Chamber of Commerce's 2016 Emerging Business Leader |
| RATH | Honoring Robert L. Poczik for Being Named the Clarence Chamber of Commerce's 2016 Lifetime Achiever of the Year |
| RATH | Honoring Leslie Zemsky for Receiving the 2016 Woman of Distinction Award from the Amherst Chamber of Commerce |
| RATH | Honoring 360 PSG Inc. for Receiving the 2016 Technology Award from the Amherst Chamber of Commerce |
| RATH | Honoring Amherst Youth Hockey for Receiving the 2016 Community Service Award from the Amherst Chamber of Commerce |
| RATH | Honoring Buffalo Manufacturing Works for Receiving the 2016 Innovation Award from the Amherst Chamber of Commerce |
| RATH | Honoring Clarence Citizens For Veterans for Being Named the Clarence Chamber of Commerce's 2016 Organization of the Year |
| RATH | Honoring Main Mobility for Being Named the Clarence Chamber of Commerce's 2016 Business of the Year |
| RATH | Honoring New Era Cap Co, Inc. for Receiving the 2016 Commitment to Excellence Award from the Amherst Chamber of Commerce |
| RATH | Honoring Pegula Sports and Entertainment for Being Named the Amherst Chamber of Commerce's 2016 Business of the Year |
| RATH | Honoring West Herr Automotive Group for Receiving the 2016 Retail Award from the Amherst Chamber of Commerce |

| <u>LOCAL LAWS:</u> | | | <u>REFERENCE:</u> |
|---|--|---|--------------------------|
| LL INTRO. 2-2 4/13/2015 | HARDWICK, DIXON, MORTON, MILLS & RATH | A LL Instituting Term Limits for All Elected Officials of County Government | Government Affairs |
| LL INTRO. 3-1 2/18/2015 | BURKE | A LL Ensuring Access to 911 Emergency Services | Public Safety |
| LL INTRO. 5-1 3/23/2015 | BURKE, GRANT & MILLER-WILLIAMS | A LL to Establish An Animal Abuse Registry in Erie County | Energy & Environment |
| LL INTRO. 6-1 3/27/2015 | RATH | A LL Authorizing the Direct Transfer of Auto Bureau Revenue to the Road Fund | Economic Development |
| LL INTRO. 7-1 4/16/2015 | LORIGO | A LL Retroactively Instituting Term Limits for Elected Officials of County Government | Government Affairs |

COMMITTEE REPORTS:

[REPORT NO. 2](#) HEALTH & HUMAN SERVICES COMMITTEE

[REPORT NO. 3](#) GOVERNMENT AFFAIRS COMMITTEE

[REPORT NO. 3](#) FINANCE & MANAGEMENT COMMITTEE

[REPORT NO. 3](#) ENERGY & ENVIRONMENT COMMITTEE

[REPORT NO. 3](#) ECONOMIC DEVELOPMENT COMMITTEE

[REPORT NO. 3](#) PUBLIC SAFETY COMMITTEE

| <u>LEGISLATOR RESOLUTIONS:</u> | <u>REFERENCE:</u> |
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| INTRO. 4-1 | RATH, MILLS, LORIGO, MORTON, DIXON & HARDWICK | Support for Repeal of the Gap Elimination Adjustment Law | Approved |
| INTRO. 4-2 | SAVAGE | Require the County Attorney to Approve as to Legal Form Local Laws Prior to Adoption | Finance & Management |
| INTRO. 4-3 | MILLER-WILLIAMS | Supporting NYS Legislation to Increase Funding for Child Care Subsidies | Health & Human Services |

COMMUNICATIONS DISCHARGED FROM COMMITTEE:

SUSPENSION OF THE RULES:

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| COMM. 4E-21 | COUNTY EXECUTIVE | Study of Broadband Service in Erie County | Economic Development |
| COMM. 4E-22 | COUNTY EXECUTIVE | Rath Building Security | Finance & Management |

| <u>COMMUNICATIONS FROM ELECTED OFFICIALS:</u> | | | <u>REFERENCE:</u> |
|--|------------------|--|--------------------------|
| <u>COMM. 4E-1</u> | COUNTY EXECUTIVE | Appointment to Buffalo Niagara Convention and Visitors Bureau, Inc. Board of Directors | RFP |
| <u>COMM. 4E-2</u> | COUNTY EXECUTIVE | Appointment & Reappointments to the EC Mental Health Hygiene Community Services Board | RFP |
| <u>COMM. 4E-3</u> | LOUGHRAN | Abstention from Vote Regarding Intro. 19-3 (2015) | RFP |
| <u>COMM. 4E-4</u> | MILLS | Letter to Clerk of the Legislature Calling a Public Hearing Regarding Proposed Modifications to Agricultural Districts | RFP |
| <u>COMM. 4E-5</u> | COUNTY EXECUTIVE | EC Sewer District No. 3 - Southtowns Sewage Sludge Incinerator Emissions Control Upgrade - Change Order No. 1 | R&F |
| <u>COMM. 4E-6</u> | COUNTY EXECUTIVE | ECC STEM Building Project - Guaranteed Maximum Price Contract - Amendment 1.1 | Finance & Management |
| <u>COMM. 4E-7</u> | COUNTY EXECUTIVE | Rath Building - 2016 - Social Services - Seventh Floor Renovations Project | Economic Development |
| <u>COMM. 4E-8</u> | COUNTY EXECUTIVE | Penora Street (CR23) Phase III, Village of Depew - Construction Contract Increase | Economic Development |
| <u>COMM. 4E-9</u> | COUNTY EXECUTIVE | Bridge Vertical Down, Bearings, Railings & Joints Project, Various Towns - Award & Increase of Project Funding | Economic Development |
| <u>COMM. 4E-10</u> | COUNTY EXECUTIVE | Bethlehem Steel Shoreline Trail - Amendment to Preliminary Design Agreement | Economic Development |
| <u>COMM. 4E-11</u> | COUNTY EXECUTIVE | EC Parks System - Retention of a Consultant to Update the Master Plan | Energy & Environment |
| <u>COMM. 4E-12</u> | COUNTY EXECUTIVE | EC Sewer District No. 3 - Consulting Firm for Flow Monitoring - I/I Quantification Report | Energy & Environment |
| <u>COMM. 4E-13</u> | COUNTY EXECUTIVE | Foreclosure Pursuant to the In Rem Provisions of the EC Tax Act, In Rem Action No. 164 | Finance & Management |
| <u>COMM. 4E-14</u> | COUNTY EXECUTIVE | Letter to ECC President Regarding Assistant County Attorney Position Assigned to ECC and Budget Related Matters | Finance & Management |

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| COMM. 4E-15 | COUNTY CLERK | Reappropriation of 2015 Unanticipated Revenues - Pistol Permit Division for Gunkeeper Software Licenses | Government Affairs |
| COMM. 4E-16 | DISTRICT ATTORNEY | Letter to Legislator Hardwick Regarding Follow-up to Opioid Issue and EC Code of Ethics | Government Affairs |
| COMM. 4E-17 | MILLER-WILLIAMS | Correspondence Regarding Maintenance of Sherman L. Walker Community Center, Buffalo | Government Affairs |
| COMM. 4E-18 | COUNTY EXECUTIVE | Department of Senior Services - Amending Four 2016 Grant Budgets | Health & Human Services |
| COMM. 4E-19 | COUNTY EXECUTIVE | Department of Senior Services - Establish Alzheimer Disease Caregiver Support Initiative (ADCSI) Grant | Health & Human Services |
| COMM. 4E-20 | COUNTY EXECUTIVE | Department of Social Services - Division of Family Wellness - Improving Permanency Outcomes Planning Grant | Health & Human Services |

COMMUNICATIONS FROM THE DEPARTMENTS:

REFERENCE:

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| COMM. 4D-1 | CLERK OF THE LEGISLATURE | Notice of Public Hearing Regarding Proposed Modifications to Agricultural Districts | R&F |
| COMM. 4D-2 | CLERK OF THE LEGISLATURE | NYS DEC Documents Received | R&F |
| COMM. 4D-3 | DEPARTMENT OF ENVIRONMENT & PLANNING | Initiatives for a Smart Economy - 2015 Q3 & Q4 Biannual Reports | Economic Development |
| COMM. 4D-4 | COMPTROLLER'S OFFICE | Notice of Audit of Central Police Services - E-911 Services for Period Jan-Dec 2015 | Finance & Management |
| COMM. 4D-5 | DEPARTMENT OF HEALTH | Initiatives for Stronger Community - 2015 Q3 & Q4 Biannual Reports | Health & Human Services |

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:

REFERENCE:

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| COMM. 4M-1 | BUFFALO & EC PUBLIC LIBRARY | Feb. 18, 2016 Board of Trustees Agenda | Community Enrichment |
| COMM. 4M-2 | NFTA | Dec. 21, 2015 Board Minutes | Economic Development |
| COMM. 4M-3 | NFTA | 17A Report and Capital Expenditure Reports for Third Quarter for FY Ending March, 2016 | Economic Development |

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| <u>COMM. 4M-4</u> | BUFFALO URBAN LEAGUE | Follow-up Information Regarding Comptroller's Contract Review - Board of Director's Resolution | Finance & Management |
| <u>COMM. 4M-5</u> | BUFFALO URBAN LEAGUE | Follow-up Information Regarding Comptroller's Contract Review - Whistleblower Policy | Finance & Management |
| <u>COMM. 4M-6</u> | ASSOCIATED BUILDERS AND CONTRACTORS INC. | Letter Regarding Project Labor Agreements | Finance & Management |
| <u>COMM. 4M-7</u> | BUFFALO NIAGARA FILM COMMISSION | 2016 Budget Accountability Submission | Finance & Management |
| <u>COMM. 4M-8</u> | CORNELL COOPERATIVE EXTENSION | 2016 Budget Accountability Submission | Finance & Management |
| <u>COMM. 4M-9</u> | EC SOIL & WATER CONSERVATION DISTRICT | 2016 Budget Accountability Submission | Finance & Management |
| <u>COMM. 4M-10</u> | VISIT BUFFALO NIAGARA | 2015 4th Quarter Report and Financial Statements as of Dec. 31, 2015 | Finance & Management |

ANNOUNCEMENTS:

MEMORIAL RESOLUTIONS:

ADJOURNMENT: